

# **YOUR TOWN HALL**

## **SWEARING IN OF COMMITTEE**

### **MEMBER ANTHONY FIORE**

Senator Joe Kyrillos came forward to swear in Committee Member Tony Fiore.

## **SWEARING IN OF COMMITTEE**

### **MEMBER STEPHANIE MURRAY**

Senator Joe Kyrillos came forward to swear in Committee Member Stephanie Murray.

## **ROLL CALL**

All Committee members were present.

## **APPOINTMENT OF TOWNSHIP**

### **ATTORNEY**

All Committee members voted to adopt resolutions 12-01 and 12-02.

## **ELECTION OF MAYOR**

All Committee members voted for Tony Fiore to be Mayor. Senator Joe Kyrillos came forward to swear in Tony Fiore as Mayor.

## **ELECTION OF DEPUTY MAYOR**

All Committee members voted for Steve Massell to be Deputy Mayor. Senator Joe Kyrillos came forward to swear in Steve Massell as Deputy Mayor.

## **MAYOR'S ADDRESS**

Mr. Fiore thanked his family members for being present and the public for placing their confidence in him. Before he began with his address, Mr. Fiore said that instead of preparing an outgoing speech and an incoming address, he would combine both speeches into one since he was going to be mayor again. Mr. Fiore said that last year the Township had the task of complying with the 2% tax cap. He said this was achieved without cutting essential services. He said the Township joined with the Monmouth County Improvement Authority (MCIA) into a

solar initiative that will save on energy costs. Mr. Fiore said the Township entered shared service agreements with the Board of Education (BOE) and other towns. He then thanked the Committee, professionals, employees and volunteers for helping to achieve the goals that were outlined. Mr. Fiore said the Township will try to achieve a 2% cap in the next budget by re-evaluating all municipal programs and services to determine cost effectiveness. Necessary changes will be implemented to insurance and benefit plans to find additional savings. He said the Township will continue to deliver core essential services at a cost effective level. He brought up the many storms and blizzards last year and stated how they learned so much which resulted in the establishment of a command center to respond faster. Mr. Fiore said they will continue to communicate updated information to the public during emergencies. Mr. Fiore then said that volunteerism is a staple in the community. He added that volunteer groups are what make Middletown a special place to live and raise a family. He said he will foster new volunteer groups so they can have an impact on the quality of life. He said new neighborhood watch groups were established with the help of the police department in the Ideal Beach and Fairview sections of town. Mr. Fiore said he hoped they have a positive impact on those areas. He commented that the most visible cuts to the budget involved Middletown Day. He said the Township Committee now has the goal to bring back Middletown Day with a new committee of all volunteers. He concluded by recognizing the volunteers present in the room, especially the fire and first aid volunteers.

## **DEPUTY MAYOR'S ADDRESS:**

Mr. Massell thanked the Committee for allowing him to serve. He thanked Mrs. Brightbill for being an inspiration to him and Mr. Fiore for his leadership. Mr. Massell said it has been three years since the financial collapse

# **YOUR TOWN HALL**

and in two years Gov. Christie and leaders like Sen. Kyrillos turned the state around and catapulted the state to the forefront of the nation. He pledged to support finding relief for the taxpayers. He then welcomed Mrs. Murray saying that she is a perfect addition to the Committee and this makes one of the best teams Middletown has had. He ended by thanking his family for allowing him to serve.

## **INTRODUCTION OF PROPOSED ORDINANCES**

Ordinance 2012-3050 All Committee members voted to introduce this ordinance with a public hearing and final vote on January 17.

Ordinance 2012-3051 All Committee members voted to introduce this ordinance with a public hearing and a final vote on January 17.

## **CONSENT AGENDA**

Resolution 12-003, appointing Fire Department Officers was brought forward for approval. All Committee members voted to adopt this resolution. The following members of the Fire Department were sworn in to their respective positions:

Andrew Spears – Fire Chief  
John D'Altilio – Deputy Chief  
Peter Laimann – First Assistant Chief  
Rick W. Hibell – Second Assistant Chief  
John Gorsenger – Third Assistant Chief

Resolutions 12-004, 12-005, 12-006, 12-007, 12-008, 12-009, 12-010, 12-011, 12-012, 12-013, 12-014, 12-015, 12-016, 12-017, 12-018, 12-019, 12-020, 12-021, 12-022, 12-023, 12-024, 12-025, 12-026, 12-027, 12-028, 12-029, 12-030, 12-031, 12-032, 12-033, 12-034, 12-035, 12-036, 12-037, 12-038, 12-039, 12-040, 12-041, 12-042, 12-043, 12-044, 12-045, 12-046, 12-047, 12-048, 12-049, 12-050, 12-051, 12-052, 12-053, 12-054, 12-055, 12-056, 12-057, 12-058 and 12-059 were brought

forward for a vote of approval. Resolutions 12-004 and 12-041 were pulled by Mr. Fiore for a separate vote. All Committee members voted to adopt these resolutions.

Resolution 12-004, appointing Gerry Massell Municipal Prosecutor, was brought forward for a vote of approval. All Committee members voted to adopt this resolution with Mr. Massell abstaining.

Resolution 12-041, appointing the Municipal Insurance Broker of Record and Risk Management Consultant, was brought forward for a vote of approval. All Committee members voted to adopt this resolution with Mr. Fiore abstaining.

## **SWEARING IN OF NEW APPOINTMENTS**

About 25 members of the public rose to be sworn in to the positions in which they were appointed.

## **PUBLIC COMMENTS**

No members of the public came forward and the meeting was adjourned.

*If you have any questions regarding  
this agenda please contact the  
Township Clerk at 732-615-2014*



**TOWNSHIP OF MIDDLETOWN  
TOWN HALL-Main Meeting Room  
One Kings Highway  
Middletown, NJ 07748**

### **JANUARY 1, 2012 REORGANIZATION MEETING**

1. Swearing in of Committee Member Anthony P. Fiore
2. Swearing in of Committee Member Stephanie C. Murray
3. Meeting Opened at 12:00 p.m. - Meeting Statement Read

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press, The Star Ledger, The Independent, The Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on December 15, 2011.

4. Roll Call:

Committeeman Fiore \_\_\_\_\_ Committeeman Massell \_\_\_\_\_

Committeewoman Murray \_\_\_\_\_ Committeeman Scharfenberger \_\_\_\_\_

Committeeman Settembrino \_\_\_\_\_

5. Pledge of Allegiance and Invocation
6. Appointment of Township Attorney  
12-01 Resolution Appointing the Township Attorney  
12-02 Resolution Appointing Township Special General Counsel
7. Election of Mayor
8. Election of Deputy Mayor
9. (Swearing in of Mayor) Mayor's Address
10. (Swearing in of Deputy Mayor) Deputy Mayor's Address

11. Introduction of Ordinances:
  - a. Ordinance 2012-3050 Bond Ordinance Providing An Appropriation Of \$800,000 For Various Drainage Improvements By And For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$760,000 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation
  - b. Ordinance 2012-3051 Bond Ordinance Providing Appropriation Of \$3,800,000 For The Dredging Of Shadow Lake By And For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$3,800,000 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation
12. Consent Agenda
  - a. Resolutions:

12-003	Resolution Appointing Fire Department Officers
12-004	Resolution Appointing the Municipal Prosecutor
12-005	Resolution Appointing the Municipal Public Defender
12-006	Resolution Appointing Police Chaplains
12-007	Resolution Appointing Emergency Management Coordinator
12-008	Resolution Appointing Members to Clean Community Advisory Committee
12-009	Resolution Appointing Members to Community Affairs Council
12-010	Resolution Appointing Members to the Environmental Commission
12-011	Resolution Appointing Members to the Green Team
12-012	Resolution Appointing Members to the Joint Shared Services and Consolidation Advisory Committee
12-013	Resolution Appointing Members to the Landmarks Commission
12-014	Resolution Appointing Members to the Library Board
12-015	Resolution Appointing Members to the Lincroft Senior Citizen Housing Corporation (Luftman Towers)
12-016	Resolution Appointing Members to the Local Assistance Board
12-017	Resolution Appointing Members to the Middletown Housing Authority
12-018	Resolution Appointing Members to the Municipal Alliance to Prevent Alcohol & Drug Abuse
12-019	Resolution Appointing Members to the Open Space Committee
12-020	Resolution Appointing Members to the Planning Board
12-021	Resolution Appointing Members to the Recreation Advisory Committee
12-022	Resolution Appointing Members to the Safety Council
12-023	Resolution Appointing Members to the Sewerage Authority
12-024	Resolution Appointing Members to the Veterans Affairs Committee
12-025	Resolution Appointing Members to the Zoning Board of Adjustment
12-026	Resolution Appointing the Police Physicians
12-027	Resolution Appointing Special Crossing Guards
12-028	Resolution Awarding Contract for Affordable Housing Administrator

- 12-029 Resolution Appointing the Township Auditor
- 12-030 Resolution Appointing the Municipal Bond Counsel
- 12-031 Resolution Appointing Conflict Counsel and Tax Foreclosure Counsel
- 12-032 Resolution Appointing Township Consulting Engineer
- 12-033 Resolution Appointing Township Conflict Engineer
- 12-034 Resolution Appointing Township Consulting Traffic Engineer
- 12-035 Resolution Appointing the Special Counsel for General Labor Matters
- 12-036 Resolution Authorizing Award of Contract for Grant Writing
- 12-037 Resolution Appointing Special Counsel for Worker's Compensation Counsel
- 12-038 Resolution Appointing Special Counsel for Tax Appeal Matters
- 12-039 Resolution Appointing Consulting Environmental Engineer
- 12-040 Resolution Appointing Employee Assistance Provider
- 12-041 Resolution Appointing the Municipal Insurance Broker of Record and Risk Management Consultant
- 12-042 Resolution Appointing the Official Depositories
- 12-043 Resolution Appointing the Official Newspapers
- 12-044 Resolution Appointing the Official Searcher
- 12-045 Resolution Appointing the Tax Searcher
- 12-046 Resolution Establishing the Annual Notice
- 12-047 Resolution Establishing the Annual Notice for the Quarterly Swim Club Utility Meetings
- 12-048 Resolution Appointing Members to the Swim Club Utility
- 12-049 Resolution Establishing Roberts Rules of Order
- 12-050 Resolution Establishing Standing Rules
- 12-051 Resolution Establishing Temporary Budget
- 12-052 Resolution Establishing a Temporary Capital Budget
- 12-053 Resolution of Award of Dental Insurance Contract
- 12-054 Resolution Authorizing Award of Prescription Administrative Insurance
- 12-055 Resolution Awarding Contract for Accident & Sickness Coverage for Fire Department & First Aid Squad Members
- 12-056 Resolution Authorizing Mayor to Execute Cancellations of Municipal Tax Sale Certificates
- 12-057 Resolution Authorizing an Accelerated Tax Sale
- 12-058 Resolution Authorizing Grace Period and Interest Rates for CY 2012
- 12-059 Resolution Authorizing Appointment of Payroll Consultant

- 13. Swearing in of New Appointments
- 14. Public Comments
- 15. Adjournment

**TOWNSHIP OF MIDDLETOWN**

**NOTICE OF PENDING BOND ORDINANCE**

The bond ordinance, 2012-3050, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the township committee of the Township of Middletown, in the County of Monmouth, State of New Jersey, on January 1, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, One King's Highway, on January 17, 2012 at 8 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$800,000 For Various Drainage Improvements By And For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$760,000 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation.

Purpose(s): For various drainage improvements, which includes Middletown High School South, Debmar Drive and Shadow Lake Outfall, including all work and materials necessary therefor and incidental thereto.

Appropriation: \$800,000

Bonds/Notes Authorized: \$760,000

Grants (if any) Appropriated: None

Section 20 Costs: \$150,000

Useful Life: 40 years

Heidi Brunt, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

## **ORDINANCE 2012-3050**

### **BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$800,000 FOR VARIOUS DRAINAGE IMPROVEMENTS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$760,000 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

**BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

#### **SECTION 1:**

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Middletown, New Jersey (the “Township”) as a general improvement. For the said Improvements there is hereby appropriated the amount of \$800,000, such sum includes the sum of \$40,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A, Municipalities and Counties of the Revised Statutes of New Jersey (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

#### **SECTION 2:**

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$760,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$760,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

#### **SECTION 3:**

(a) The Improvements hereby authorized and the purposes for which obligations are to be issued is for various drainage improvements, which includes Middletown High School South, Debmar Drive and Shadow Lake Outfall, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office the Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$760,000.

(c) The estimated cost of the Improvements is \$800,000, which amount represents the initial appropriation made by the Township.

#### SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

#### SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.



(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$760,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

#### SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

#### SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$760,000.

#### SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

## **TOWNSHIP OF MIDDLETOWN**

### **NOTICE OF PENDING BOND ORDINANCE**

The bond ordinance, 2012-3051, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Middletown, in the County of Monmouth, State of New Jersey, on January 1, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Municipal Building, 1 Kings Highway, in said Township on January 17, 2012 at 8 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing Appropriation Of \$3,800,000 For The  
Dredging of Shadow Lake By And For The Township Of Middletown In  
The County Of Monmouth, New Jersey And Authorizing The Issuance Of  
\$3,800,000 In Bonds Or Notes Of The Township For Financing Part Of  
The Appropriation

Purpose(s): Dredging of Shadow Lake.

Appropriation: \$3,800,000

Bonds/Notes Authorized: \$3,800,000

Grants (if any) Appropriated: None

Section 20 Costs: \$760,000

Useful Life: 20 Years

Heidi Brunt, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

## **ORDINANCE 2012-3051**

### **BOND ORDINANCE PROVIDING APPROPRIATION OF \$3,800,000 FOR THE DREDGING OF SHADOW LAKE BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,800,000 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

**BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

#### **SECTION 1:**

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Middletown, New Jersey (the “Township”) as a general improvement. For the said Improvements there is hereby appropriated the amount of \$3,800,000. This bond ordinance authorized obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d), as more fully explained in Section 6(e) of this ordinance.

#### **SECTION 2:**

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$3,800,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$3,800,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

#### **SECTION 3:**

(a) The Improvements authorized and the purposes for which obligations are to be issued is for the dredging of Shadow Lake, including all work and materials necessary therefor or incidental thereto, which Improvements will be financed as part of the 2012 New Jersey Environmental Infrastructure Trust Financing Program.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$3,800,000.

(c) The estimated cost of the Improvements is \$3,800,000, which amount represents the initial appropriation made by the Township.

#### SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

#### SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof

has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$3,800,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$760,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorized obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

#### SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance (including funds to be received in connection with the New Jersey Environmental Infrastructure Trust Financing Program) shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

#### SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

#### SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.100-2. The Township reasonably expects to pay expenditures with respect

to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$3,800,000.

#### SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**RESOLUTION NO. 12-001**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION APPOINTING TOWNSHIP ATTORNEY**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-139 and § 4-32A of the Code of the Township of Middletown there exists a need to appoint a qualified individual as Township Attorney to serve as the municipal attorney and designated legal officer for the Township of Middletown; and

**WHEREAS**, § 4-32B of the Code of the Township of Middletown provides that the Township Attorney shall be compensated via a flat fee retainer currently set at \$50,000 by the Township's applicable salary ordinance to provide representation in routine and reoccurring legal matters as defined pursuant to § 4-32C of the Code of the Township of Middletown.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Brian M. Nelson, Esq. is hereby appointed Township Attorney for 2012 to perform the duties prescribed pursuant to § 4-32C of the Code of the Township of Middletown.

**BE IT FURTHER RESOLVED** that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

**RESOLUTION NO. 12-002**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE  
CONTRACT FOR GENERAL SPECIAL COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle general litigation, transactions and other legal representation as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with four bids having been received and considered for the position of General Special Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Nelson Supko & Hanlon LLC, 830 Broad Street, Suite B, Shrewsbury, New Jersey 07702 has qualified and agreed to handle general litigation, transactions and other legal representation as needed for a flat fee of \$234,000 for 2012, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firm of Nelson Supko & Hanlon LLC is hereby awarded a professional service contract for the provision of legal services as General Special Counsel to the Township to handle general litigation, transactions and provide other legal representation as needed during 2012.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.



**RESOLUTION 12-003**

**APPOINTMENT OF FIRE DEPARTMENT OFFICERS**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals be and they are hereby appointed or reappointed members of the Fire Department pursuant to the "Code of the Township of Middletown" for a full term of one year commencing January 1, 2012 and terminating December 31, 2012.

<b>FIRE CHIEF:</b>	<b>ANDREW SPEARS</b>
<b>DEPUTY CHIEF:</b>	<b>JOHN D'ALTILIO</b>
<b>FIRST ASSISTANT:</b>	<b>PETER LAIMANN</b>
<b>SECOND ASSISTANT:</b>	<b>RICK W. HIBELL</b>
<b>THIRD ASSISTANT:</b>	<b>JOHN GORSENGER</b>

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Fire Department

**RESOLUTION NO. 12-004**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION APPOINTING MUNICIPAL PROSECUTOR**

**WHEREAS**, pursuant to N.J.S.A. 2B:25-4 and § 4-33 of the Code of the Township of Middletown there exists a need to appoint a qualified attorney as Municipal Prosecutor for the Township; and

**WHEREAS**, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Gerald Massell, Esq. is hereby appointed Municipal Prosecutor for the Township of Middletown for 2012 to be compensated pursuant to the Township's applicable salary ordinance.

**BE IT FURTHER RESOLVED** that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

**RESOLUTION 12-005**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION APPOINTING MUNICIPAL PUBLIC DEFENDER**

**WHEREAS**, pursuant to N.J.S.A. 2B:24-3 there exists a need to appoint a qualified attorney as Municipal Public Defender for the Township; and

**WHEREAS**, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process, but with potential expenditures estimated not to exceed \$12,500, below the bid threshold for the application of the Fair and Open Process that are subject to the certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Stanley Werse, Esq. is hereby appointed Municipal Public Defender for the Township of Middletown for 2012 to be compensated pursuant to the Township's applicable salary ordinance and at an hourly rate of \$115 for matters in the Superior Court that may be reimbursed by individuals utilizing the services of the Public Defender.

**BE IT FURTHER RESOLVED** that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

**RESOLUTION 12-006**

**APPOINTMENT OF POLICE CHAPLAINS**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed Police Chaplains of Middletown Township for the year 2012.

Reverend Donald Magaw  
8 Vanda Drive  
Neptune, NJ 07753

Reverend Peter S. Cooke  
46 Summerwinds Drive  
Lakewood, NJ 08701

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
- b. Police Department

**Resolution 12-007**

**RESOLUTION AUTHORIZING APPOINTMENT OF THE  
EMERGENCY MANAGEMENT COORDINATOR**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS  
FOLLOWS:**

1. That Charles Rogers be and is hereby appointed as the Coordinator of Emergency Management for a term of three years expiring December 31, 2014.
2. The Township Clerk shall send a certified copy of this resolution to the following:
  - a. Police Department
  - b. Emergency Management
  - c. Charles Rogers

**RESOLUTION 12-008**

**APPOINTMENTS TO CLEAN COMMUNITY ADVISORY COMMITTEE**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,**  
as follows:

1. That the following individuals be and are hereby appointed members of the Clean Community Advisory Committee for a full term of one year, commencing January 1, 2012 and terminating December 31, 2012.

Maureen Raisch      Committee Seat I

Samuel R. Posten, Jr.      Committee Seat II

Valerie Robertson      Committee Seat III

Kenneth Walls      Committee Seat IV

Ted Maloney      Committee Seat V

Heidi R. Brunt      Committee Seat VI

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a) Each appointee as listed above
- b) Clean Community Advisory Committee

**RESOLUTION 12-009**

**APPOINTMENTS TO COMMUNITY AFFAIRS**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed members of the Community Affairs Council pursuant to the "Code of the Township of Middletown" for a full term of three years, commencing January 1, 2012 and terminating December 31, 2014 or as indicated.

**MITCHELL GOTESKY**

**Council Seat V**

Expiring 12/31/2014

**LARRY CAMINITI**

**Council Seat VI**

Expiring 12/31/2014

**WILLIAM BUCCO**

**Council Seat VII**

Expiring 12/31/2014

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Community Affairs Council

## **RESOLUTION 12-010**

### **APPOINTMENT TO ENVIRONMENTAL COMMISSION**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individual be hereby appointed member of the Environmental Commission pursuant to the "Code of the Township of Middletown" for the term set forth below.

Joe Martin

**Commissioner Seat I**  
Expiring (12/31/2014)  
3 years

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
- a. The appointees listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Environmental Commission



**RESOLUTION 12-011**

**APPOINTMENT TO GREEN TEAM ADVISORY COMMITTEE**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals be hereby appointed members of the Green Team Advisory Committee pursuant to the Resolution 09-253 for a one year term ending on December 31, 2012.

<b>ANTHONY FIORE</b>	<b>COMMITTEE SEAT I</b>
<b>EUGENIO GRANO</b>	<b>COMMITTEE SEAT II</b>
<b>RICHARD DEBENEDETTO</b>	<b>COMMITTEE SEAT III</b>
<b>JASON GREENSPAN</b>	<b>COMMITTEE SEAT IV</b>
<b>TED MALONEY</b>	<b>COMMITTEE SEAT V</b>
<b>MIKE MCCOY</b>	<b>COMMITTEE SEAT VI</b>
<b>ANTHONY MERCANTANTE</b>	<b>COMMITTEE SEAT VII</b>
<b>MARIE SAVOIA</b>	<b>COMMITTEE SEAT VIII</b>
<b>MICHAEL FEDOSH</b>	<b>COMMITTEE SEAT IX</b>
<b>LYNN MATTEI</b>	<b>COMMITTEE SEAT X</b>
<b>JOYCE FEREJOHN</b>	<b>COMMITTEE SEAT XI</b>

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. The appointees listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Green Team Advisory Committee c/o Township Planner Jason Greenspan

**RESOLUTION 12-012**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**ESTABLISHING MEMBERSHIP OF JOINT SHARED  
SERVICES AND CONSOLIDATION ADVISORY COMMITTEE**

**WHEREAS**, the Township Committee is mindful of the difficult economic climate facing residents of the Township of Middletown and the hardships associated with any increased tax burden facing citizens of the Township of Middletown; and

**WHEREAS**, the voters of Middletown, last year rejected the budget proposed by the Middletown Township Board of Education; and

**WHEREAS**, the State of New Jersey, the Township of Middletown and the Board of Education continue to face a financial crisis unprecedented in recent times; and

**WHEREAS**, the Township Committee anticipates that municipalities and school boards will continue to operate in an austere budget environment where citizens demand efficiency, small government and the elimination of unnecessary or discretionary services; and

**WHEREAS**, the Township Committee believes that closer cooperation with the Board of Education will be necessary to meet the financial challenges ahead; and

**WHEREAS**, the Township Committee believes that consolidation of certain functions performed by both the Board of Education and the Township Committee should be seriously considered and adopted, where legal and appropriate, through a process accessible to the public; and

**WHEREAS**, the Township Committee believes that shared services within the public entities within Middletown and with neighboring municipalities and boards of education must take place and that the size of Middletown Township leaves it well-suited to lead in these efforts; and

**WHEREAS**, the Township Committee seeks to pursue all opportunities to improve efficiency, eliminate unnecessary spending and reduce the burden on its taxpayers, and now wishes to make the governing body's appointments to the ad-hoc Joint Shared Service and Consolidation Advisory Committee instituted by Resolution No. 10-165, continued by Resolution 11-95, and renews the same with this action.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the following members be appointed to the ad-hoc Joint Shared Service and Consolidation Advisory Committee pursuant to the terms of Resolution 10-165, which is hereby renewed for 2012:

1. Anthony Fiore, Member of the Township Committee.
2. Stephen Massell, Member of the Township Committee.
3. Anthony Mercantante, Jointly Selected Non-Elected Public Member.
4. Judy Benedict, Non-Elected Public Member.

**BE IT FURTHER RESOLVED** that the Joint Shared Service and Consolidation Advisory Committee's mission shall meet regularly for six (6) months upon its establishment one (1) month after the adoption of this Resolution with a specific focus on maintenance and recreation activities. The Joint Shared Service and Consolidation Advisory Committee shall have a goal of recommending strategies to reduce the combined spending of the Township Committee and Board of Education by less than 2.0% to be in conformance with the cap levy law.

**RESOLUTION NO. 12-013**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION MAKING APPOINTMENTS TO LANDMARKS COMMISSION  
AND CREATING HONORARY SEAT FOR MARY LOU STRONG**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-107 the Township of Middletown maintains a Landmarks Commission adopted under Section 16-315 of the Code of the Township of Middletown; and

**WHEREAS**, a vacancy has occurred upon the expiration of the term of Mary Lou Strong who has dutifully served as an active volunteer member on both the Township Landmark's Commission and Planning Board for many years; and

**WHEREAS**, the Township Committee wishes to fill Mary Lou Strong's seat on the Landmarks Commission with former Township Committeewoman Pamela Brightbill; and

**WHEREAS**, the Township Committee wishes, however, to honor Mary Lou Strong for her years of dedicated service to preserving Middletown's remaining historic landmarks and character by maintaining an honorary seat on the Landmarks Commission for Mary Lou Strong so long as she wishes to serve.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that that following appointments shall be made to the Township of Middletown's Landmarks Commission for terms proscribed by N.J.S.A. 40:55D-107 effective from January 1, 2012:

SEAT V	Regular Member Pamela Brightbill	
SEAT VIII	Honorary Ex-Officio (Non-Voting)	Mary Lou Strong

**RESOLUTION 12-014**  
**APPOINTMENTS TO MIDDLETOWN LIBRARY BOARD**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,**  
as follows:

1. That the following individuals are hereby appointed or reappointed as members of the Middletown Library Board pursuant to the "Code of the Township of Middletown" for terms as set forth below:

**STEPHANIE MURRAY**

**Trustee Seat I**  
Expiring 12/31/2012

**SUPERINTENDENT'S DESIGNEE**

**Trustee Seat II**  
Expiring 12/31/2012

**BROCK SIEBERT**

**Trustee Seat IV**  
Expiring 12/31/2016

**LAWRENCE NELSEN**

**Trustee Seat VIII**  
Expiring 12/31/2016

**MICHAEL CONVERY**

**Trustee Seat IX**  
Expiring 12/31/2016

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Library Board

**RESOLUTION 12-015**

**APPOINTMENTS TO LINCROFT SENIOR CITIZEN HOUSING CORPORATION  
(LUFTMAN TOWERS)**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals are hereby appointed or reappointed as members of the Lincroft Senior Citizens Housing Corporation, Luftman Towers pursuant to the "Code of the Township of Middletown" for a term set forth below:

**HENRY VULLO**

**Director Seat II**  
Expiring 12/31/2016

**BEN CANTO**

**Director Seat III**  
Expiring 12/31/2016

**CHRISTINA GISONDI**

**Director Seat IV**  
Unexpired Term 12/31/2012

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Lincroft Senior Citizens Housing Corporation

**RESOLUTION 12-016**

**APPOINTMENT TO LOCAL ASSISTANCE BOARD**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,**  
as follows:

1. That the following individuals are hereby appointed or reappointed as members of the Local Assistance Board pursuant to the "Code of the Township of Middletown for terms as set forth below:

**ANDREW ZAPCIC**

**Commissioner Seat I**

Expiring 12/31/2012

Annual Appointment

**DONALD SKRIVANEK**

**Commissioner Seat IV**

Expiring 12/31/2015

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee listed above who shall present themselves before the Office of the Township Clerk to take and subscribe to the Oath of Office.
- b. Local Assistance Board
- c. Barbara Miceli, Welfare Director

**RESOLUTION 12-017**

**APPOINTMENT TO MIDDLETOWN HOUSING AUTHORITY**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF  
NEW JERSEY, as follows:

1. That the following individuals are hereby appointed or reappointed as  
members of the Middletown Housing Authority for terms set forth  
below:

**CHRIS FOTACHE**

**Commissioner Seat III**  
Expiring 12/31/2016

**ROB CORDIANO**

**Commissioner Seat VI**  
Expiring 12/31/2014  
(Unexpired Term)

2. The Township Clerk shall send a certified copy of this resolution to each  
of the following:
  - a. The appointees listed above who shall present themselves before the  
Township Clerk to take and subscribe to the Oath of Office.
  - b. Middletown Housing Authority



**RESOLUTION 12-018**

**APPOINTMENTS TO MUNICIPAL ALLIANCE  
TO PREVENT ALCOHOL & DRUG ABUSE**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals have been appointed as members of the Middletown Township Municipal Alliance to Prevent Alcoholism & Drug Abuse for a full term of one year commencing January 1, 2012 and terminating December 31, 2012

Margaret Bertorelli  
Pamela Brightbill  
Robert W. Bucco, Jr., Vice Chairperson  
Peter Caras  
Nancy Crowell  
Leslie Culver-Schwarz  
Anthony DiMeglio  
Anthony J. Falvo  
Anthony P. Fiore  
Fern B. Foster, Coordinator, Non-Voting  
William Gerris  
Thomas G. Hall  
Eugene Hannafey  
James Homiak  
Calvin Jenkins  
Karen Jenkins  
Kristie Kane  
Bruce Levy  
Daniel J. McCartan

Patrick Parkinson  
Thomas Pegut  
Kathleen Prevost  
Mary Anne Ruane  
Gerard P. Scharfenberger, Ph.D  
Frank Self  
Joseph T. Shaffery, Sergeant-at-Arms  
Michael Shaffery  
Michael J. Slover, Non-Voting, Chairperson  
John Smack  
Madolyn F. Smith, Non-Voting  
Daniel Sullivan  
Richard B. Thompson  
Dep. Chief Craig Weber  
Alison Wheeler  
Erin Wheeler  
Thomas P. Wilkens  
Christina M. Wittkop, Non-Voting

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee listed above
- b. Municipal Alliance to Prevent Alcoholism & Drug Abuse

**RESOLUTION 12-019**

**APPOINTMENT TO OPEN SPACE PRESERVATION COMMITTEE**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individual is hereby appointed members of the Open Space Preservation Committee pursuant to the "Code of the Township of Middletown".

**PAMELA M. BRIGHTBILL**

**MICHAEL FEDOSH**

**FAITH HAHN**

**ADELLE KELLER**

**ANTHONY MERCANTANTE**

**GERARD P. SCHARFENBERGER**

**CHRIS FOTACHE**

**COMMITTEE SEAT I**

EXPIRING 12/31/2012

**COMMITTEE SEAT II**

EXPIRING 12/31/2012

**COMMITTEE SEAT III**

EXPIRING 12/31/2012

**COMMITTEE SEAT IV**

EXPIRING 12/31/2012

**COMMITTEE SEAT V**

EXPIRING 12/31/2012

**COMMITTEE SEAT VI**

EXPIRING 12/31/2012

**COMMITTEE SEAT VII**

Expiring 12/31/2012

2. The Township Clerk shall send a certified copy of this resolution to each of the Following:
  - a. The appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Open Space Preservation Committee

**RESOLUTION 12-020**  
**APPOINTMENTS TO PLANNING BOARD**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed members of the Middletown Planning Board pursuant to the "Code of the Township of Middletown" for terms as set forth below:

**TIM SODON**  
CLASS I/MAYOR'S DESIGNEE  
**KEVIN SETTEMBRINO**  
CLASS III/ TOWNSHIP COMMITTEE  
**PAMELA BRIGHTBILL**  
CLASS II/PUBLIC OFFICIAL  
**RACHEL GRANAHAH**  
Alternate II  
**FRANK WILTON**  
ALTERNATE I  
**GRETA SEIWIC**  
CLASS IV

**Board Member I**  
Expiring 12/31/2012  
**Board Member II**  
Expiring 12/31/2012  
**Board Member III**  
Expiring 12/31/2012  
**Board Member V**  
Expiring 12/31/2013  
**Board Member IX**  
Unexpired Term 12/31/2012  
**Board Member X**  
Expiring 12/31/2015

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Planning Board

**RESOLUTION 12-021**

**APPOINTMENTS TO RECREATION ADVISORY COMMITTEE**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed or reappointed as members of the Recreation Advisory Committee pursuant to the "Code of the Township of Middletown" for terms specified below:

**THOMAS WILKENS**

**Committee Seat I**  
Expiring 12/31/2014

**CHRIS FOTACHE**

**Committee Seat III**  
Expiring 12/31/2014

**ELEASHA JETER**

**Committee Seat IV**  
Expiring 12/31/2014

**TRICIA SIMON**

**Committee Seat V**  
Expiring 12/31/2014

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
- a. Each appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Recreation Advisory Committee
  - c. Municipal Alliance to Prevent Alcoholism & Drug Abuse

**RESOLUTION 12-022**

**APPOINTMENTS TO SAFETY COUNCIL**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals are hereby appointed or reappointed as members of the Safety Council pursuant to the "Code of the Township of Middletown" for an unexpired term of January 1, 2012 and terminating December 31, 2012.

<b>FRANK BADALI</b>	<b>Committee Seat I</b>
<b>CYNTHIA BIANCHI</b>	<b>Committee Seat II</b>
<b>KAREN MEREZIO</b>	<b>Committee Seat III</b>
<b>JOE SHADE</b>	<b>Committee Seat IV</b>
<b>DOMINICK DONATELLI</b>	<b>Committee Seat V</b>
<b>BOB PFLEGER</b>	<b>Committee Seat VI</b>
<b>EMS APPOINTMENT</b>	
<b>LISA REILLY</b>	<b>Committee Seat VII</b>
<b>ANDREW BANE</b>	<b>Committee Seat VIII</b>
<b>ANTHONY IACOVONE</b>	<b>Committee Seat IX</b>
<b>FIRE DEPARTMENT REPRESENTATIVE</b>	<b>Committee Seat X</b>
<b>EUGENE HANNAFEY/POLICE REPRESENTATIVE</b>	<b>Committee Seat XI</b>

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Safety Council

**RESOLUTION NO. 12-023**

**APPOINTMENTS TO SEWERAGE AUTHORITY**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals are hereby appointed or reappointed as members of the Middletown Sewerage Authority effective 2/1/2012 for a term specified as follows:

**CHARLES ROGERS**

**Commission Seat I**  
Expiring 2/01/2017

**JOAN A. SMITH**

**Commission Seat V**  
Unexpired Term 2/1/2015

**EMIL WREDE**

**Alternate I**  
Unexpired Term 2/01/2013

**ANTHONY DEMARCO**

**Alternate II**  
Unexpired Term 2/01/2016

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Middletown Sewerage Authority P.O. Box 205 Belford, NJ 07718
  - b. Each appointee listed above who shall present himself before the Office of the Township Clerk to take and subscribe to the Oath of Office.

## **RESOLUTION 12-024**

### **APPOINTMENTS TO MIDDLETOWN VETERANS AFFAIRS COMMITTEE**

WHEREAS, The Middletown Veterans Affairs Committee was created by ordinance 2010-3018 with the mission (a) to relay the questions or concerns of veterans of the armed forces who are residents of Middletown to the governing body; (b) to provide information on various federal, state and local programs for which Middletown's veterans may be eligible and entitled to participate in; and (c) to research and analyze the needs of Middletown's veterans and make recommendations to the Township Committee regarding how those needs may be best served.

WHEREAS, The Middletown Veterans Affairs Committee shall consist of five (5) members appointed by the Township Committee. At least three (3) members shall always be veterans of the armed forces. Two (2) of the five (5) founding members shall serve for terms of three (3) years, two (2) of the five (5) founding members shall serve for a term of two (2) years, and one (1) of the five (5) founding members shall serve for a term of one (1) year after which all shall serve for staggered terms of (3) years. Any vacancies shall only be filled by appointment of the Township Committee for the remainder of the term of the individual having left the seat vacant.

NOW BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individual be and they are hereby appointed as members of the Middletown Veterans Affairs Committee pursuant to the "Code of the Township of Middletown" for terms specified below:

**WILLIAM BOUW**

**Committee Seat V**  
Expiring 12/31/2014

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
- b. Middletown Veterans Affairs Committee

**RESOLUTION NO. 12-025**

**APPOINTMENTS TO ZONING BOARD OF ADJUSTMENT**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. That the following individuals be and they are hereby appointed or reappointed as members of the Zoning Board of Adjustment pursuant to the "Code of the Township of Middletown" for the terms as set forth below:

**TRISTAN NELSEN**

**Board Member Seat V**

Expiring 12/31/2015

**GARY HAGESTAD**

**Board Member Seat VI**

Expiring 12/31/2015

**JOSEPH ZACARDO**

**Alternate I**

Expiring 12/31/2013

**DONNA CAUDA**

**Alternate II**

Unexpired Term 12/31/2012

**STEVE MONAHAN**

**Alternate III**

Expiring 12/31/2013

**PETER DEMARCO**

**Alternate IV**

Unexpired Term 12/31/2012

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
- b. Zoning Board of Adjustment



**RESOLUTION 12-026**

**APPOINTMENT OF POLICE PHYSICIANS**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals be and they are hereby appointed Police Physicians pursuant to the "Code of the Township of Middletown" for the year 2012.

**DR. NICHOLAS SPETKO**

**MERIDIAN / RIVERVIEW OCCUPATIONAL HEALTH UNIT**

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Police Department

**RESOLUTION 12-027**

**APPOINTMENT OF SPECIAL CROSSING GUARDS**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals be and they are hereby appointed as Special Crossing Guards for the year 2012.

**CPL. BERNIE CHENOWETH  
MATTHEW VIAUD  
FRANK LATORTO  
EDWARD GREELEY  
BRIAN MACDONALD**

**DAN FLANNIGAN  
NOELLE D'ACUNZI  
AUSTEN MC KNIGHT**

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee as listed above
- b. Police Department

**RESOLUTION NO. 12-028**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDDING CONTRACT FOR  
AFFORDABLE HOUSING ADMINISTRATOR**

**WHEREAS**, the Township of Middletown requires the services of an affordable housing administrator to comply with provisions of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) to provide affordable housing units to low- and moderate-income households desiring to live within the municipality; and

**WHEREAS**, such services were previously provided in-house by Township staff, but have proved to be too burdensome due to layoffs and attrition while costs associated with the provision of such services may primarily be covered through payments made by developers, unit owners or landlords of affordable housing units/projects, or by the Township through its affordable housing trust fund derived from development fees; and

**WHEREAS**, while the Local Public Contracts Law does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one responsive bid having been received and considered for the position of Affordable Housing Administrator and having been reviewed by the Township Committee based upon recommendations provided by the Township Administrator and Director of Planning; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, D&M Management, Post Office Box 286, Freehold, New Jersey 07728 is qualified and agreed to provide affordable housing administrative services pursuant to its fee schedules provided per transaction with the estimated costs of this contract estimated not to exceed \$10,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that D&M Management, Post Office Box 286, Freehold, New Jersey 07728 is hereby awarded a contract to serve as the Administrative Agent and administer the Township's affordable housing owner-occupied and rental programs for 2012 with the estimated costs of this contract estimated not to exceed \$10,000.

**BE IT FURTHER RESOLVED** that this contract award is subject to approval by the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**RESOLUTION NO. 12-029**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDED PROFESSIONAL  
SERVICES CONTRACT FOR TOWNSHIP AUDITOR**

**WHEREAS**, pursuant to N.J.S.A. 40A:5-4 there exists a need for the Township to retain the services of a qualified Registered Municipal Accountant ("RMA") to conduct the Township's annual audit and related professional services as needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Township Auditor by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, Randy P. Nelson, RMA of the firm of Ernst & Young is qualified and agreed to serve as the Township Auditor for the sum of \$95,000 for 2012; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Randy P. Nelson, RMA of the firm of Ernst & Young is hereby awarded a professional services contract to serve as the Township Auditor for 2012 for the sum of \$95,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-030**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL  
SERVICE CONTRACT FOR BOND COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown as bond counsel as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Bond Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Gibbons PC, One Gateway Center, Newark, New Jersey 07102, has qualified and agreed to provide legal counseling as Bond Counsel at transactional rates specified by contract in an amount estimated not to exceed \$25,000, exclusive of fees for filing fees, legal research, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firm of Gibbons PC is hereby awarded a professional services contract for the provision of legal services as Bond Counsel to the Township as needed during 2012 for an amount estimated not to exceed \$25,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-031**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDED PROFESSIONAL SERVICE  
CONTRACTS FOR CONFLICTS AND TAX FORECLOSURE COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle tax foreclosures and to address legal matters in which the Township Attorney or General Special Counsel may have a conflict under the New Jersey Court Rules or other applicable laws or regulations; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one bid having been received for tax foreclosure counsel and two bids having been received for conflicts counsel, and having been considered by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Post Office Box 790, Lyndhurst, New Jersey 07071 is qualified and agreed to provide both tax foreclosure and conflict counsel services at a rate of \$130 per hour estimated not to exceed \$25,000, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Bernard Reilly, Esq., 90 Maple Avenue, Red Bank, New Jersey is qualified and has also agreed to provide conflict counsel services at a rate of \$130 per hour estimated not to exceed \$25,000, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firm of Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Post Office Box 790, Lyndhurst, New Jersey 07071 is hereby awarded a professional services contract for the provision of legal services as tax foreclosure and conflicts counsel to the Township as needed during 2012 for an estimated amount not to exceed \$25,000 in the aggregate between counsels.

**BE IT FURTHER RESOLVED** that the law firm of Bernard Reilly, Esq., 90 Maple Avenue, Red Bank, New Jersey is also hereby awarded a professional services contract for the provision of legal services as conflicts counsel to the Township as needed

during 2012 for an estimated amount not to exceed \$25,000 in the aggregate between counsels.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.



**RESOLUTION NO. 12-032**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL  
SERVICES CONTRACT FOR CONSULTING ENGINEER**

**WHEREAS**, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the maintenance of the Township's nearly 400 miles of roadway, parks and facilities, and to provide planning and review services that cannot be addressed entirely by the Township Engineer; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with five bids having been received and considered for the position of Consulting Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, Inc., 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide professional engineering services pursuant to the rate schedules provided for in its proposal for 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates is hereby awarded a professional services contract to serve as the Township's Consulting Engineer for 2012.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-033**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL  
SERVICES CONTRACT FOR CONFLICTS ENGINEER**

**WHEREAS**, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the maintenance of the Township's nearly 400 miles of roadway, parks and facilities, and to provide planning and review services that cannot be addressed entirely by the Township Engineer and for which the Township's Consulting Engineer may have a conflict; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Conflicts Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, Chester, Ploussas, Lisowsky Partnership, LLP, 100 Matawan Road, Suite 100, Matawan, NJ 07747 is qualified and has agreed to provide conflict professional engineering services pursuant to the rate schedules provided for in its proposal for 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Chester, Ploussas, Lisowsky Partnership, LLP, 100 Matawan Road, Suite 100, Matawan, NJ 07747 is hereby awarded a professional services contract to serve as the Township's Conflicts Engineer for 2012.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-034**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICES  
CONTRACT FOR CONSULTING TRAFFIC ENGINEER**

**WHEREAS**, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the Township's numerous streets, roads, highways and public facilities that on occasion require planning and review as to traffic design and safety issues, and various applications for development that require an evaluation and review to protect the Township's interests in traffic engineering and public safety matters; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Consulting Traffic Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, Maser Consulting of 331 Newman Springs Road, Red Bank, New Jersey 07701 is qualified and has agreed to provide professional engineering services in relation to traffic matters pursuant to the rate schedules provided for in its proposal for 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Maser Consulting of 331 Newman Springs Road, Red Bank, New Jersey 07701 is hereby awarded a professional services contract to serve as the Township's Consulting Traffic Engineer for 2012.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-035**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDED PROFESSIONAL SERVICE  
CONTRACT FOR LABOR COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle general labor matters and collective bargaining as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Labor Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Cleary Giacobbe Alfieri Jacobs, LLC, 7 James Street, Florham Park, New Jersey 07932 has qualified and agreed to provide labor counsel services at a rate of \$130 per hour estimated not to exceed \$35,000, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firm of Cleary Giacobbe Alfieri Jacobs, LLC, 7 James Street, Florham Park, New Jersey 07932 is hereby awarded a professional services contract for the provision of legal services as General Labor Counsel to the Township as needed during 2012 for an estimated amount not to exceed \$35,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-036**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**AWARDING CONTRACT FOR GRANTS WRITING CONSULTANT**

**WHEREAS**, the Township requires the services of a grant writing consultant to help secure alternative sources of funding for numerous capital and other projects that cannot currently be funded through general appropriations or traditional borrowing; and

**WHEREAS**, while the Local Public Contracts Law does not require competitive bidding for contracts anticipated to be below \$17,500, or which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, but this position was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of Grants Writing Consultant by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide Grant Writing Consulting services pursuant to the rate schedules provided for in its proposal for 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 is hereby awarded a contract to serve as the Township's Grant Writing Consultant for 2012 for a contract amount estimated not to exceed \$10,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-037**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE  
CONTRACTS FOR WORKERS COMPENSATION COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle workers compensation matters as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of workers compensation counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, John Lane, Esq. and Richard Leahy, Esq., individually, have qualified and agreed to provide legal services in relation workers compensation matters at a rate of \$100 per hour estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that John Lane, Esq. and Richard Leahy, Esq. are hereby awarded a professional services contracts for the provision of legal services as Workers Compensation Counsel to the Township as needed during 2012 for an estimated amount not to exceed \$17,500.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-038**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE  
CONTRACT FOR TAX APPEALS COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax appeals as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the positions of Tax Appeals Counsel by the Township Committee based upon recommendations provided by the Township Administrator and Tax Assessor; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, Richard Leahy, Esq. of the firm of Bernard Reilly LLC, 90 Maple Avenue, Red Bank, New Jersey 07701 has qualified and agreed to provide legal services as Tax Appeals at a rate of \$100 per hour estimated not to exceed \$50,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Richard Leahy, Esq. of the firm of Bernard Reilly LLC is hereby awarded a professional services contract for the provision of legal services as Tax Appeals Counsel to the Township as needed during 2012 for an amount estimated not to exceed \$50,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTON NO. 12-039**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICES  
CONTRACT FOR CONSULTING ENVIRONMENTAL ENGINEER**

**WHEREAS**, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the Township's numerous facilities that on occasion require an evaluation and review as to environmental issues and/or remediation requirements or services; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of Consulting Environmental Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, Inc., 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide professional engineering services in relation to environmental matters pursuant to the rate schedules provided for in its proposal for 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates, Inc., 11 Tindall Road, Middletown, New Jersey 07748 is hereby awarded a professional services contract to serve as the Township's Consulting Environmental Engineer for 2012.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.



**RESOLUTION NO. 12-040**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING CONTRACT FOR  
EMPLOYEE ASSISTANCE PROVIDER**

**WHEREAS**, the Township has found that it is beneficial to have in place an Employee Assistance Program, which is a third-party professional agency providing counseling and referral services for employees and their dependents, and the program has worked well for several years helping reduce the Township's health benefits and other costs; and

**WHEREAS**, while the Local Public Contracts Law does not require competitive bidding for contracts anticipated to be below \$17,500, or which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, but it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with no bids having been received and considered for the position of Employee Assistance Provider by the Township Committee based upon recommendations provided by the Township Administrator to nevertheless make an award to the incumbent provider pursuant to the non-fair and open process; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, Employee Consulting Services is qualified and has agreed to provide professional services in relation to the provision of employee assistance pursuant to the rate schedules provided for in its proposal for 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Employee Consulting Services (Dr. Michael Kahn) is hereby awarded a contract for the provision of the Township's employee assistance program as needed during 2012 for an amount estimated not to exceed \$10,475.00, plus \$25.00 per employee to which such services are provided.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION NO. 12-041**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT FOR  
INSURANCE BROKERS OF RECORD AND RISK MANAGEMENT  
CONSULTANT**

**WHEREAS**, the Township requires various insurance coverages, including automobile, general liability, workers compensation, employee health, prescription, dental, and other insurance coverages, and requires assistance in soliciting and reviewing insurance proposals and assessments as to traditional insurance coverages and policies as well as alternative forms of coverage through self-insurance, municipal self-insurance funds, and combinations of same, and requires the services of a licensed professional insurance brokers in order to solicit and assess such various insurance policies and carriers and alternative coverages and provide risk management consulting services, and also to serve as the risk management representative to the Monmouth County Joint Insurance Fund (JIF) and Municipal Excess Liability Fund (MEL), through which the Township is also a participant and insured for excess and professional liability coverage; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(m)) does not require competitive bidding for these positions, and based upon the recommendations provided by the Township Administrator due to the cost savings achieved through their efforts in 2012; and

**WHEREAS**, Peter Soriero of Allied Risk Management and Post Benefits, One International Blvd., Suite 405, Mahwah NJ 07495 qualify and have agreed to provide such insurance-related services with fees for insurance placement services anticipated to be paid through customary brokerage commissions and fees paid by the Insurance companies and/or Joint Insurance Funds to the broker/risk management consultant, and it is anticipated that the services provided will result in minimal or no direct cost to or payments by the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Peter Soriero of Allied Risk Management and Post Benefits, One International Blvd., Suite 405, Mahwah NJ 07495 are hereby awarded a professional services contract to serve as the Township's Insurance Brokers of Record and Risk Management Consultants for 2012.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**RESOLUTION 12-042**

**APPOINTMENT OF OFFICIAL DEPOSITORIES**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That PNC Bank, Sovereign Bank, New Jersey Cash Management Fund, NJ/ARM Asset & Rebate Management Program, MBIA Investors Service Corporation, Columbia Savings Bank, TD Bank, Two Rivers Community Bank, First Savings Bank, Amboy National Bank, Provident Bank, Bank Of America, Valley National Bank, and Investors Savings Bank are hereby designated as the official depositories of the Township of Middletown for the year 2011 under the "Governmental Unit Depository Protection Act."

2. A certified copy of this resolution shall be provided by the Township Clerk to each of the following:

- a. Department of Finance
- b. Each Depository listed above

## **RESOLUTION 12-043**

### **ESTABLISHMENT OF OFFICIAL NEWSPAPERS**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

1. During the year 2012, the official newspapers for this municipality shall be The Star Ledger, The Asbury Park Press, The Independent and The Two River Times pursuant to NJSA 40:53-1 and NJSA 40:53-2.

2. A certified copy of this resolution shall be provided by the Township Clerk to each of the following:

- a. The Independent
- b. The Asbury Park Press
- c. The Two River Times
- d. The Star Ledger

**RESOLUTION 12-044**

**APPOINTMENT OF OFFICIAL SEARCHER**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. The Township Clerk, be and is hereby appointed Official Searcher for improvements made or to be made and assessed locally for the year 2012.
2. A certified copy of this resolution shall be provided by the Township Clerk to each of the following:

- a. Township Clerk
- b. Comptroller

**RESOLUTION 12-045**

**APPOINTMENT OF TAX SEARCHER**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,**

as follows:

1. Judith Vassallo, Tax Collector, be and he is hereby appointed Official Searcher for improvements made or to be made and assessed locally for the year 2012.

2. A certified copy of this resolution shall be provided by the Township Clerk to each of the following:

a. Judith Vassallo

b. Comptroller

**RESOLUTION NO. 12-046**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**ANNUAL MEETING NOTICE**

**WHEREAS**, the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) provides for the giving of the annual notice by public bodies of the time, date and location of the regular meetings of such public body to be held during the succeeding year; and

**WHEREAS**, the Open Public Meetings Act hereinafter referred to as The Act, authorizes a public body to make certain other determinations and take certain other actions in conformance therewith.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown, as follows:

1. Regular meetings of this committee shall be held during the 2012 calendar year at 8:00 p.m. at the Middletown Township Municipal Building, Main Meeting Room, One Kings Highway, Middletown, New Jersey on the following dates:

January 17 (Tuesday)  
February 21 (Tuesday)  
March 19  
April 16  
May 21  
June 18  
July 16  
August 20  
September 17  
October 15  
November 19  
December 17

Workshop meetings of the Middletown Township Committee shall be held during the 2012 calendar year at 8:00 p.m. at the Middletown Township Municipal Building, Conference Room, One Kings Highway, Middletown, New Jersey on the following dates:

February 6  
March 5  
April 2  
May 7  
June 4  
July 2



August 6  
September 4 (Tuesday)  
October 1  
December 3

\* The Reorganization Meeting of the Township Committee for the year 2013 will be held on Sunday, January 6, 2013.

At all regular and workshop meetings of the Middletown Township Committee formal action will be taken on any matter subject to compliance with the Open Public Meetings Act respecting issuance of the "48 hour notice" containing the agenda for such regular and workshop meetings, to the extent known.

2. Executive Sessions will be held at 7:00 p.m. preceding each Regular Meeting and Workshop Meeting in 2012 to discuss personnel matters, labor relations, pending litigation and other matters permitted for closed session under N.J.S.A. 10:4-12. At 7:00 p.m., prior to each Executive Session, the Township Committee will convene in open session at which time an Executive Session Resolution specifying the general nature of the items to be discussed in Executive Session will be adopted in accord with N.J.S.A. 10:4-13. All such meeting sessions will be held in the Conference Room, Town Hall, One Kings Highway, Middletown, N.J., unless otherwise noted as per the law.

3. The following newspapers are hereby designated as the newspapers to receive any and all notices required or permitted to be given under The Act, shall including but not limited to Annual Notice and 48 hour notices, as needed:

- a. The Asbury Park Press, The Star Ledger, The Independent and The Two River Times, which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings.

4. Copies of this Resolution and any revisions or modification thereof, certified to be true copies by the Clerk of this municipality, be disseminated and distributed as required by The Act as follows:

- a. The Asbury Park Press, The Star Ledger, The Independent and the Two River Times which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings; and
- c. Filed with the Municipal Clerk of this municipality; and
- d. Mailed to such other person as may be entitled thereto under the terms of the Act and this Resolution.

5. Pursuant to N.J.S.A. 10:4-19, the Municipal Clerk is hereby authorized and directed to mail such notice as may be required and authorized under the Act to any person requesting the same providing that person has first complied with the following terms and conditions:

- a. Any and all request for notice under the act shall be made in writing either by letter or by signing a request list to be maintained in the Office of the Municipal Clerk.

6. Take further notice that further resolutions may be adopted at these public meetings and/or workshop meetings providing for the Township Committee to meet in executive session specifying matters to be discussed requiring confidentiality and/or of a privileged nature as permitted by N.J.S.A. 10:4-12 and 13.

7. Take further notice that regular public and/or workshop meetings or executive session may be canceled or adjourned. Rescheduled regular public and/or workshop meetings shall be duly advertised with appropriate notice being provided.

## **RESOLUTION 12-047**

### **ANNUAL NOTICE QUARTERLY SWIM CLUB UTILITY MEETINGS**

WHEREAS, the Open Public Meetings Act (NJSA 10:4-6 et seq.) provides for the giving of the annual notice by public bodies of the time, date and location of the regular meetings of such public body to be held during the succeeding year; and

WHEREAS, the Open Public Meetings Act hereinafter referred to as The Act, authorizes a public body to make certain other determinations and take certain other actions in conformance therewith.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, acting as the Swim Club Utility of the Township of Middletown, as follows:

1. Quarterly meetings of the Swim Club Utility shall be held during the 2012 calendar year at 7:00 p.m. at the Middletown Township Municipal Building, Conference Room, One Kings Highway, Middletown, New Jersey, on the following dates:

March 5  
July 2  
October 1  
December 3

2. The following newspapers are hereby designated as the newspapers to receive any and all notices required or permitted to be given under The Act including but not limited to Annual Notice and 48 hour notice.

a. The Asbury Park Press, The Star Ledger, The Independent and The Two River Times, which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings.

3. Copies of this Resolution and any revisions or modifications thereof, certified to be true copies by the Clerk of this municipality, be disseminated and distributed as required by The Act as follows:

a. The Asbury Park Press, The Star Ledger, The Independent and The Two River Times which are hereby designated and determined to be the other newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings; and

b. Filed with the Municipal Clerk of this municipality; and

c. Mailed to such other persons as may be entitled thereto under the terms of the act and this resolution.

Pursuant to NJSA 10:4-19, the Municipal Clerk of this municipality is hereby authorized and directed to mail such notice as may be required and authorized under the Act to any person requesting the same providing that person has first complied with the following terms and conditions.

d. Any and all requests for notice under the Act shall be made in writing either by letter or by signing a request list to be maintained in the Office of the Municipal Clerk.

Take further notice that further resolutions may be adopted at these public meetings and/or workshop meetings providing for the Township Committee, acting as the Swim Club Utility, to meet in executive session specifying matters to be discussed requiring confidentiality and/or of a privileged nature as permitted by NJSA 10:4-12 and 13.

Take further notice that regular public and/or workshop meetings may be canceled. Rescheduled regular public and/or workshop meetings shall be duly advertised.

**RESOLUTION 12-048**

**RESOLUTION APPOINTING MEMBERS OF SWIM CLUB UTILITY**

**WHEREAS**, on July 21, 1997 the Township Committee of the Township of Middletown adopted ordinances authorizing the creation of a Swim Club Utility and further authorizing the funding of acquisition of the Middletown Swim Club, and

**WHEREAS**, the acquisition by the Township for the swim club occurred in September 1997; and

**WHEREAS**, the said ordinance provides that the Township Committee shall appoint the Swim Club Utility members.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Middletown that the following are appointed as members of the Swim Club Utility for a period beginning January 1, 2012 and ending on December 31, 2012:, Anthony P. Fiore; Steve Massell, Stephanie C. Murray, Gerard P. Scharfenberger and Kevin Settembrino.

**FURTHER RESOLVED** that it is the intention of this resolution that the members of the governing body shall serve as members of said utility, and that reappointment of such governing body members shall occur at the annual meetings. It is also the intention that the Mayor and Deputy Mayor serve as Chair and Vice Chair of the Utility, respectively.

**RESOLUTION 12-049**

**ESTABLISHING ROBERTS RULES OF ORDER**

**BE IT RESOLVED** by the Township Committee of the Township of Middletown, County of Monmouth and State of New Jersey that the Township Committee will adopt Robert's Rules of Order for use as parliamentary procedure for all Township Committee Meetings.

**RESOLUTION 12-050**

**ESTABLISHING STANDING RULES**

**WHEREAS**, Article 2-6 (d) provides for the Township Committee to establish rules of order for Township meetings; and

**WHEREAS**, it is the desire of the Township Committee to provide for effective and productive township meetings, to hear from its residents in a timely manner, and to conduct the large volume of township business within the time constraints available at public meetings in a more orderly, productive manner.

**NOW, THEREFORE, BE IT RESOLVED** that the attached Standing Rules for Regular Meetings of the Township Committee be established, adopted, and utilized as rules of order governing the conduct of regular meetings of the Township Committee.

**STANDING RULES FOR REGULAR MEETINGS  
OF THE TOWNSHIP COMMITTEE**

1. The Mayor or other Committeeperson acting as the Mayor shall act as the Chair.
2. Any persons desiring to speak on either an ordinance or during the public comment section shall raise their hand and must be recognized by the Chair before speaking. All comments by the members of the public shall be made from the podium after first having been recognized by the Chair.
3. As to public hearings on an ordinance, all persons recognized to speak may speak for a maximum of five minutes.
4. As to the public comment portion of the meeting, all persons recognized to speak may speak once for a maximum of five minutes.
5. Any speaker who exceeds these time limits shall be ruled out of order and subject to removal. Each five minute period is personal to each speaker and made not be ceded to another person. No profanity shall be permitted. Any person who uses profanity may be ruled out of order and subject to removal.
6. Questions or comments of the public should be directed to the Township Committee. If appropriate, the Chairperson may direct and recognize a staff employee or professional of the Township to respond. The Chair may request that any question asked of the Township Committee or its staff or professionals which, due to its complexity or need for research or factual investigation cannot be answered immediately, be placed in writing by the inquirer and directed to the appropriate Township official and that an answer be provided to the inquirer as soon as possible.
7. Any of these Standing Rules may be suspended for a particular matter by vote of a majority of the Township Committee present at the meeting.



**RESOLUTION 12-051**  
**RESOLUTION AUTHORIZING A TEMPORARY BUDGET FOR 2012**

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the 2011 current fund budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$55,763,071.57 and

WHEREAS, 26.25% of the total appropriations in the 2011 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$14,637,806.29 and

WHEREAS, the total debt service for the municipal budget temporary appropriations is \$5,955,728 and

WHEREAS, the total appropriation in the 2011 solid waste district budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$3,690,300 and

WHEREAS, 26.25% of the total appropriations in the 2011 solid waste district budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$968,703.75 and

WHEREAS, the total appropriation in the 2011 swim utility budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$316,867 and

WHEREAS, 26.25% of the total appropriations in the 2011 swim utility budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$83,177.59 and

WHEREAS, the total debt service for the swim utility temporary appropriations is \$224,214 and

NOW, THEREFORE, BE IT RESOLVED by the Township committee of the Township of Middletown, in the County of Monmouth, State of New Jersey, that the attached listing (Attachment 1 – 2012 Temporary Budget Worksheet) of appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

**RESOLUTION 12-052**  
**2012 TEMPORARY CAPITAL BUDGET RESOLUTION**

WHEREAS, the Township of Middletown desires to constitute the 2012 Temporary Capital Budget of said municipality by inserting therein Various Improvements and Acquisitions.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Middletown as follows:

Section 1. The 2012 Temporary Capital Budget of the Township of Middletown is hereby constituted by the adoption of a schedule to read as follows:

**VARIOUS ROAD IMPROVEMENTS**

**Temporary Capital Budget of  
the Township of Middletown  
County of Monmouth, New Jersey  
Projects Scheduled for 2012  
Various Drainage Improvements  
Dredging Shadow Lake**

<u>Est Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants</u>	<u>General Bonds</u>
\$800,000	\$40,000		\$760,000
\$3,800,000			\$3,800,000

Section 2. The Township Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for the 2012 Temporary Capital Budget, to be included in the 2012 Permanent Capital Budget as adopted.

**RESOLUTION NO. 12-053**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDDING CONTRACT FOR  
DELTA DENTAL ADMINISTRATIVE AND  
NETWORK SERVICES**

**WHEREAS**, the Township of Middletown for the past several years has engaged the services of Delta Dental Plan of NJ, Inc. for providing dental claims administrative and dental network services as part of the health benefits for Township employees; and

**WHEREAS**, it is necessary to ratify and approve the continuation of that Contract for dental claims administrative and network services for the year 2012 with the administrative services and costs for an estimated cost not to exceed \$30,000; and

**WHEREAS**, authorization for the award of this contract as an extraordinary unspecifiable service does not require public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are authorized to execute the agreement with Delta Dental Plan of NJ, Inc. for the provision of dental claims administrative and network services for the year 2012 for the Township health benefit program for employees at the administrative fees as set forth in the attached contract made part hereof for an estimated contract amount not to exceed \$30,000.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**RESOLUTION NO. 12-054**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDED CONTRACT FOR  
PRESCRIPTION ADMINISTRATION SERVICES**

**WHEREAS**, the Township of Middletown for the past several years has engaged the services of BeneCard Services, Inc. for the provision of employee and retiree prescription claims administration services and Medicare drug subsidy services; and

**WHEREAS**, it is necessary to ratify and approve the continuation and extension of that contract for prescription services for the year 2012, and in order to maintain the continuity of said services, with a maximum estimated expenditure under said contract being estimated to be no more than \$32,000; and

**WHEREAS**, authorization for the award of this contract as an extraordinary unspendable service does not require public bidding pursuant to N.J.S.A.40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with BeneCard Services, Inc. to provide prescription claims administrative and Medicare retiree drug subsidy services for the year 2012 for the Township health benefit program for employees and retirees at the rates set forth in the contract attached hereto and made part hereof in an amount estimated not to exceed \$32,000.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**RESOLUTION NO. 12-055**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING CONTRACT FOR  
INSURANCE COVERAGE FOR ACCIDENT &  
SICKNESS COVERAGE FOR FIRE DEPARTMENT &  
FIRST AID SQUAD MEMBERS**

**WHEREAS**, the Township requires accident and sickness insurance coverage for Fire Department and First Aid members and, after a review of available policies, rates and carriers, a recommendation has been made by the Township insurance consultant and Township Administrator to bind and obtain a policy with National Union Fire Insurance Company; and

**WHEREAS**, the Township and its Fire Department and First Aid members require insurance coverage related to on duty accident and sickness claims and liabilities that might arise related to the Fire and First Aid Squads; and

**WHEREAS**, authorization for the award of this contract as an extraordinary unspecifiable service does not require public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the Clerk, Mayor or Township Administrator are hereby authorized and directed to contract for accident and sickness insurance coverage for Fire Department and First Aid Squad members from National Union Fire Insurance Company for 2012 for an estimated contract cost not to exceed \$26,618.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**RESOLUTION 12-056**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING MAYOR TO EXECUTE  
CANCELLATIONS OF MUNICIPAL TAX SALE CERTIFICATES**

**WHEREAS**, pursuant to N.J.S.A. 54:5-55 and 54:5-58, the governing body or other officer of the municipality may act to authorize the cancellation of municipal tax sale certificates; and

**WHEREAS**, the Township of Middletown's Tax Collector has recommended that a resolution be adopted clarifying the Township's policy that the governing body authorizes the Mayor to execute cancellations of municipal tax sale certificates.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that, as directed by the Township's Tax Collector, the Mayor and Township Clerk are hereby authorized to execute tax sale certificates for cancellation upon redemption without the necessity of the governing body passing a resolution for each individual certificate.

**RESOLUTION 12- 057**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**MIDDLETOWN AUTHORIZING AN ACCELERATED TAX SALE**

**WHEREAS**, NJSA 54:5-19 permits a municipality to sell liens on delinquent municipal charges prior to the close of the Calendar Year 2012 and

**WHEREAS**, the Township of Middletown has realized an exceptional tax collection rate through this process, and

**WHEREAS**, the Township of Middletown CY 2012 Budget has anticipated continuing an Accelerated Tax Sale;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector of the Township of Middletown is hereby authorized to conduct an Accelerated Tax Sale for the Calendar Year 2012

**BE IT FURTHER RESOLVED**, that the Township Clerk is directed to file two certified copies of this resolution with the Director of Local Government Services.

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Judith Vassello  
Tax Collector

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Nicola Trasente  
Chief Financial Officer

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Anthony Mercantante  
Township Administrator

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Brian Nelson  
Township Attorney  
Certified as to Form

**RESOLUTION 12-058**

**SETTING GRACE PERIOD AND INTEREST RATES FOR TAXES  
FOR CALENDAR YEAR 2012**

**WHEREAS**, N.J.S.A. 54:4-67 permits the Governing Body to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for late payment of taxes or assessments as provided by law; and

**WHEREAS**, any unpaid taxes and municipal charges constitute an unfair burden on those taxpayers who pay their taxes and municipal charges in a timely manner and delinquent taxpayers should be required to carry their share of the tax burden; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Middletown, County of Monmouth, State of New Jersey, that the property taxes shall be due and payable quarterly on February 1<sup>st</sup>, May 1<sup>st</sup>,

August 1<sup>st</sup> and November 1<sup>st</sup> for the year 2012, with a ten day grace period, after which dates, if unpaid, shall become delinquent, with interest charges as set for below and reverting back to the due date on any quarterly installment of taxes. The Tax Collector is hereby authorized and directed to charge, subject to any abatement or discount for the late payment of taxes as provided by law:

1. Eight percent (8%) per annum on the first \$1,500.00 of taxes delinquent after due date; and
2. Eighteen percent (18%) per annum on any amount in excess of \$1,500.00 of taxes delinquent after due date; and
3. Any 2012 municipal charges remaining unpaid on the 11<sup>th</sup> day of the 11<sup>th</sup> month of the fiscal year will be subject to Tax Sale.



**RESOLUTION 12-059**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF PAYROLL TAX CONSULTANT**

**WHEREAS**, the Township requires the services of a Payroll Tax Consultant to provide services on a part-time basis necessary to assist the Municipal Finance Officer relative to payroll tax and deduction matters; and

**WHEREAS**, The principal of the consultant shall work approximately 15 hours per week under the supervision of the Municipal Finance Officer; and

**WHEREAS**, the duration of the contract shall be from January 1, 2012 through December 31, 2012. Estimated amount of Contract – Services are as provided in the Agreement, being for the amount not to exceed \$17,000 annually; for the twelve months of 2012; and

**WHEREAS**, the services authorized by this Resolution are not subject to public bidding under the Local Public Contracts Law N.J.S.A. 40A:11-5(1) (A) (1). Such services being extraordinary and **unspecifiable** and funds are available subject to certification of availability of funds by the Chief Financial Officer, PMF Consulting Services is qualified and has agreed to provide Payroll tax consulting services; and

**WHEREAS**, Attached hereto as Exhibit A is the contract authorized by the within Resolution. The said contract is expressly incorporated herein and made part hereof, pursuant to N.J.S.A. 40A: 11-5, this Resolution and the contract are available for public inspection at the office of the Township Clerk during regular business hours; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Middletown in the County of Monmouth, State of New Jersey that PMF Consulting Services is hereby awarded a contract to serve as the Township's Payroll Tax Consultant for the twelve months of 2012 for a contract amount of \$17,000.

**BE IT FURTHER RESOLVED** that The Mayor and Clerk are hereby authorized to execute an Agreement for the provision of such professional services, a copy which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.